

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Moira Ryan

v.

Case No. 19-cv-983-PB

Christopher M. Hicks, Sr.  
U.S. Dep't of Veterans Affairs

ORDER

Plaintiff has filed a proposed third amended complaint rather than an objection to the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated April 3, 2020.

“‘[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.’” School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal). Here, no objection has been made to the Report and Recommendation. Accordingly, I approve the Report and Recommendation and dismiss the second amended complaint. Plaintiff's proposed third amended complaint suffers from the same deficiencies as the second. Accordingly, I dismiss that complaint as well.

/s/Paul Barbadoro  
Paul Barbadoro  
United States District Judge

Date: June 1, 2020

cc: Moira Ryan, pro se